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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Randy W. Jackson et al.
Application No. : 10/015,828
Filed : December 11, 2001
For : PHARMACEUTICAL USES AND SYNTHESIS OF
BENZOBICYCLOOCTANES

Examiner : Brian J. Davis
Art Unit : 1621
Docket No. : 240083.510
Date : August 20, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

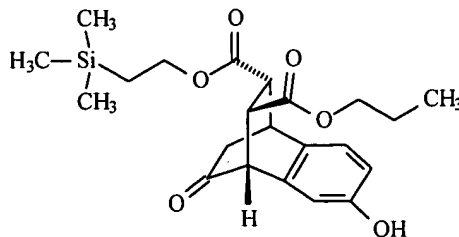
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RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents:

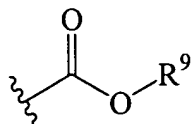
This is in response to the Election of Species Requirement, mailed July 24, 2003, wherein the Examiner contended that Claims 1-82 of the above-identified patent application are generic to a plurality of disclosed patentably distinct species comprising the compounds defined by formula (I). In particular, Applicants are required under 35 U.S.C. 121 to elect a single disclosed species, even though this requirement may be traversed. In addition, the Examiner respectfully requested that the elected species be explicitly defined in terms of the variables of formula (I).

Accordingly, Applicants elect the compound specifically claimed in Claim 55, *i.e.*, the compound of the following formula:



This election is made without traverse.

As requested by the Examiner, this compound is a compound of formula (I) wherein R¹ is selected from the formula:

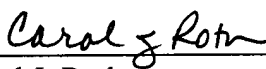


(where R⁹ is selected from an organic group having 1-30 carbons); R² is -OR⁹ (where R⁹ is selected from an organic group having 1-30 carbons and containing 1-4 heteroatoms selected from silicon); R³ is hydrogen, R⁴ and R⁵ together from the =O group, R⁶ is hydrogen and n is 0.

The above-elected species reads on Claims 1, 8, 10-19, 21-23, 25-26, 32-33, 41, 44, 46-51, 60, 62-72, 74-75, and 77-82.

Applicants respectfully request consideration of the claimed subject matter in light of this election of species.

Respectfully submitted,
Randy W. Jackson et al.
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TRANSMITTAL FORM

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Application Number	10/015,828
Filing Date	December 11, 2001
First Named Inventor	Randy W. Jackson
Group Art Unit	1621
Examiner Name	Brian J. Davis
Attorney Docket No.	240083.510

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ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Additional Enclosure(s) (please identify below): _____ _____ _____ _____
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	Carol J. Roth Registration No. 32,783	Customer Number 00500
Signature	<i>Carol J. Roth</i>	
Date	August 20, 2003	

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